

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

AUTO-OWNERS INSURANCE,)
)
 Plaintiff/Counter Defendant,) Case No.: 1:19-cv-00066-SNLJ
)
 v.) **JURY TRIAL DEMANDED**
)
 BLAIR LEASING, LLC,)
)
 Defendant/ Counter Plaintiff.)

JOINT REVISED PROPOSED SCHEDULING ORDER

COME NOW the parties, Plaintiff and Counter-Defendant Auto Owners Insurance Company (“Plaintiff”) and Defendant and Counter-Plaintiff, Blair Leasing, LLC (“Defendant”) (collectively the “Parties”), and hereby submit the foregoing Joint Motion to Extend Scheduling Order Deadline (“Motion”) of the current Case Management Order [Please see Doc. 10]. In support thereof, the parties jointly state the following:

1. As a result of the COVID-19 pandemic, the parties seek a continuance from the current scheduling order and trial setting.
2. Parties have already completed written discovery, mediation, some of the necessary depositions of fact witnesses, and Plaintiff’s experts’ depositions.
3. Parties still have to complete depositions of Defendant’s experts, John Kregos and Brad Olson, Defendant’s representatives, Ellen and Doug Miller, Plaintiff’s corporate representative(s), and one or more of Plaintiff’s claim handlers.
4. Moreover, depositions of various non-parties still remain to be completed.
5. In addition, Parties seek a continuance on filing *Daubert* Motions and Motions for Summary Judgment.

6. In light of the aforementioned, the Parties submit the following extensions and new trial date to be considered by the Court.

PROPOSED SCHEDULING PLAN

7. Defendant shall make their expert witnesses, John Kregos and Brad Olson, available for deposition, and have depositions completed by August 1, 2020.

8. Defendant shall make their representatives, Ellen and Doug Miller, available for deposition, and have depositions completed by August 1, 2020.

9. Plaintiff shall make their corporate representative(s) and claim handler(s) available for deposition, and have depositions completed by August 1, 2020.

10. All remaining discovery shall be completed by September 15, 2020.

11. Any motions to dismiss, for summary judgment or motions for judgment on the pleadings must be filed no later than October 1, 2020. Opposition briefs shall be filed no later than November 1, 2020 and any reply brief may be filed no later than November 15, 2020.

12. All dispositive motions and motions to exclude testimony under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) or *Kuhmo Tire Co. Ltd. V. Carmichael*, 526 U.S. 137 (1999) shall be filed by October 1, 2020.

13. The earliest date by which this case should reasonably be expected to be ready for trial is **January 1, 2021**.

WHEREFORE, premises considered, the parties respectfully request the Court grant this Motion to Extend Scheduling Order Deadline and trial date as referenced hereinabove.

Respectfully submitted,

/s/ J. Drew Houghton (with permission)

LARRY E. BACHE, JR., #91304 FL
J. DREW HOUGHTON, #18080 OK
MERLIN LAW GROUP, P.A.
211 N. Robinson, Suite 210
Oklahoma City, OK 73102
Telephone: (405) 218-1105
Facsimile: (405) 218-1106
dhoughton@merlinlawgroup.com
lbache@merlinlawgroup.com
Attorneys for Defendant

/s/ Bradley R. Hansmann

Bradley R. Hansmann, #53160MO
Travis S. McDonald, #67356MO
BROWN & JAMES, P.C.
800 Market Street, Suite 1100
St. Louis, MO 63101-2501
(314) 421-3400
(314) 421-3128 - Fax
rwatters@bjpc.com
bhansmann@bjpc.com
tmcdonald@bjpc.com
Attorneys for Plaintiff / Counter-Defendant

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served by the Court's electronic filing system, this 4th day of June, 2020, on the counsel of record listed below.

Larry E. Bache
Jonathan E. Bukowski
Merlin Law Group, P.A.
1001 17th Street, Suite 1150
Denver, CO 80202
lbache@MerlinLawGroup.com
jbukowski@merlinlawgroup.com
Attorneys for Defendant

Justin Drew Houghton
Larry E. Bache, Jr.
Merlin Law Group, P.A.
One Leadership Square
211 N. Robinson Avenue, Suite 210
Oklahoma City, OK 73102
dhoughton@merlinlawgroup.com
lbache@merlinlawgroup.com
Attorneys for Counter-Plaintiffs

/s/ Bradley R. Hansmann

#23035020.1